

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION**

JEROME WASHINGTON

Plaintiff

V.

KELLEY KRISPY

Defendant

Case No. 5:20-cv-00029-RWS-CMC

ORDER

Plaintiff Jerome Washington, proceeding *pro se*, filed the above-styled and numbered civil action complaining of alleged violations of his constitutional rights. The case was referred to the United States Magistrate Judge in accordance with 28 U.S.C. § 636.

Plaintiff sued an assistant district attorney in Bowie County, the correct spelling of whose name is Kelley Crisp. Docket No. 1. After review of the pleadings, the Magistrate Judge issued a Report on November 16, 2021, recommending dismissal of the lawsuit for want of subject matter jurisdiction. Docket No. 8. A copy of this Report was sent to Plaintiff at his last known address, return receipt requested, but was returned as undeliverable and unable to forward. Docket No. 9. Plaintiff has not apprised the Court of his current mailing address.

Because no objections have been received to the Report (Docket No. 8), Plaintiff is barred from *de novo* review by the District Judge of those findings, conclusions and recommendations, and—except upon grounds of plain error—from appellate review of the unobjected-to factual findings and legal conclusions accepted and adopted by the District Court. *Duarte v. City of Lewisville, Texas*, 858 F.3d 348, 352 (5th Cir. 2017).

The Court has reviewed the pleadings in this cause and the Report of the Magistrate Judge. Docket No. 8. Upon such review, the Court has determined that the Report of the Magistrate Judge (*id.*) is correct. *See United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989), *cert. denied*, 492 U.S. 918, 109 S.Ct. 3243 (1989) (where no objections to a Magistrate Judge’s Report are filed, the standard of review is “clearly erroneous, abuse of discretion and contrary to law.”) It is accordingly


ORDERED that the Report of the Magistrate Judge (Docket No. 8) is **ADOPTED** as the opinion of the District Court. It is further

ORDERED that the above-styled civil action is **DISMISSED WITHOUT PREJUDICE** for want of subject matter jurisdiction. It is further

ORDERED that any and all motions which may be pending in this civil action are hereby **DENIED**.

IT IS SO ORDERED.

SIGNED this 22nd day of April, 2022.


ROBERT W. SCHROEDER III
UNITED STATES DISTRICT JUDGE